

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TURN KEY WINE BRANDS LLC,

Plaintiff,

Case No.: 2:16-CV-09088-RGK-AFM

Hon. R. Gary Klausner

v.

[PROPOSED] JUDGMENT

CUSTOMVINE CORP.; PENROSE HILL, LIMITED; TIME, INC.; KEVIN BOYER; L18 WINES, LLC; L18 HOLDINGS, INC.; R B WINE ASSOCIATES, LLC; A W DIRECT, LLC; SPELLETICH FAMILY, INC.; GREGG & GREGG, INC.; PLATA WINE PARTNERS, LLC; and DOES 1-10, inclusive,

Defendants.

CUSTOMVINE CORP. and PENROSE HILL, LIMITED

Counterclaimants,

v.

TURN KEY WINE BRANDS LLC,

Counterdefendant.

1 Pursuant to the parties' Stipulation for Entry of Judgment, the Court enters
2 Judgment in this matter as follows:

3 1. Judgment is entered in favor of plaintiff Turn Key Wine Brands,
4 LLC, and against defendant Penrose Hill, Limited, on plaintiff's claim for relief
5 for contributory trademark infringement as to the TURN KEY trademark (U.S.
6 Reg. No. 4,165,358). Plaintiff's remaining claims for relief against defendant
7 Penrose Hill, Limited, are dismissed with prejudice.

8 2. Judgment is entered in favor of plaintiff Turn Key Wine Brands,
9 LLC, and against defendant CustomVine Corp. on plaintiff's claim for relief for
10 contributory trademark infringement as to the TURN KEY, COMPASS POINT,
11 ELEANORA MARIE, and WAYSIDE trademarks. Plaintiff's remaining claims
12 for relief against defendant CustomVine Corp. are dismissed with prejudice.

13 3. Judgment is entered in favor of plaintiff Turn Key Wine Brands,
14 LLC, and against defendant Kevin Boyer on plaintiff's claim for relief for
15 contributory trademark infringement as to the TURN KEY, COMPASS POINT,
16 ELEANORA MARIE, and WAYSIDE trademarks (U.S. Reg. Nos. 4,165,358,
17 4,870,710, 4,949,056, respectively). Plaintiff's remaining claims for relief against
18 defendant Kevin Boyer are dismissed with prejudice.

19 4. Plaintiff Turn Key Wine Brands, LLC's, claims for relief against
20 defendant Time, Inc., are dismissed with prejudice.

21 5. All outstanding counterclaims against plaintiff Turn Key Wine
22 Brands, LLC, are dismissed with prejudice.

23 6. Each party shall bear its own costs and attorney fees.
24
25

26 DATED: January 03, 2018



27 R. GARY KLAUSNER
28 UNITED STATES DISTRICT JUDGE